

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald Alfred Greinke  
Serial No.: 10/004,716  
Filed: December 4, 2001  
For: Expandable Graphite And Method  
Group Art Unit: 1753  
Examiner: Edna Wong  
Attorney's Docket No.: P1022-1/N7980  
Customer No.: 23456

**TERMINATION DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

To the Honorable Commissioner of Patents  
And Trademarks  
Mail Stop Non Fee Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Dear Sir:

The owner, Graftech Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,406,612. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would

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extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In the event that any fees are due in connection with this filing the same may be charged to deposit account no. 50-1202.

The undersigned is an attorney of record.

Respectfully submitted,



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